

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No: 09/832,553 Confirmation No. 2004
 Filed: April 11, 2001
 Applicant: Holub
 Title: METHODS AND APPARATUS FOR CALIBRATING A COLOR
 DISPLAY
 Examiner: Han Nguyen Art Unit: 2676
 Attorney Docket: HLB-001 CV

MAIL STOP AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

INTERVIEW SUMMARY

Dear Sir:

This is a summary of the Examiner Interview held at the U.S. Patent Office and telephonic communications thereafter, as requested by Examiner Nguyen by telephone on February 7, 2006 with the undersigned Applicant's Attorney. Applicant at the Examiner Interview held at the U.S. Patent Office on November 16, 2005 presented arguments with respect to the patentability of claims over U.S. Patent No. 6,611,249 (Evanicky et al.), the restriction requirement, and the 35 U.S.C. 112 rejection of Claim 36. Examiner Blackman agreed to enter an Examiner's Amendment to amend the application as follows: add "physical" before each occurrence of "reference" in Claims 19, 23, and 39; remove language "on a surface" and "on said surface" of Claim 19, remove language "on a surface" and "quantity or offset providing the color of said display" from Claim 39; cancel Claims 43-46 without prejudice to a possible Divisional Application; and to show citations noted by Applicant in incorporated by reference parent applications for subject matter of Claim 36. Examiner Blackman stated at the Interview that the Examiner's Amendment would overcome the rejection upon Evanicky et al., and rejoin Claims 39-42 with Claims 19-26 and 32-38. An Eighth Supplemental Information Disclosure Statement was provided at the Examiner Interview to Examiner Blackman, who stated such would be entered.

Certificate of Facsimile Transmission

I certify that this document is being facsimile transmitted to the Patent and Trademark Office (fax # (571) 273-7787) on February 7, 2006.


 Signature of Person Transmitting Correspondence

Kenneth J. Lukacher
 Typed or Printed Name of Person Transmitting Correspondence

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About two weeks after not receiving the Examiner's Amendment, Applicant's Attorney was unable to contact Examiner Blackman by telephone, as his phone number was no longer assigned. A call through the USPTO Helpline discovered that Examiner Blackman left the U.S. Patent Office. A phone message was then left with Matthew Bella, Supervisor Examiner to Examiner Blackman, to request assistance with the matter. On December 8, 2005, Examiner Bella called Applicant's Attorney stating that he will address the status of the Application in view of Examiner Blackman's departure from the U.S. Patent Office. In a follow-up call with Examiner Bella on December 12, 2005, Applicant's Attorney discussed what Examiner Blackman agreed upon in the Examiner's Amendment, as set forth in the first paragraph herein, and patentability of claims over Evanicky et al., and Examiner Bella stated that entry of the Examiner's Amendment and further search would be handled by a new Examiner. As requested by Examiner Bella, Applicant's Attorney on December 12, 2005 provided by facsimile to Examiner Bella a copy of the Eighth Supplemental Information Disclosure Statement along with copies of referenced items.

On December 15, 2005, Examiner Hau Nguyen called Applicant's Attorney, to inform him that he was the new assigned Examiner and that the rejections based on Evanicky et al. were now withdrawn, and to request an explanation of patentability of the claimed invention over U.S. Patent No. 5,739,809 (McLaughlin et al.). Applicant's Attorney in separate phone calls to Examiner Nguyen and Examiner Bella explained that step (d) of Claim 19 was absent in McLaughlin et al.

On December 21, 2005, Examiner Bella in a telephone call with Applicant's Attorney provided a status update in which no prior art to the present Application was yet found by Examiner Nguyen which in combination with McLaughlin et al. would find Claim 19 unpatentable.

Accordingly, a Notice of Allowance is respectfully requested. If required for entry of this communication, Applicant hereby petitions under 37 CFR 1.136(a) for a three-month extension of time and authorizes the \$1,020.00 petition fee to be charged to deposit account no. 50-1101.

Dated: February 7, 2006

Respectfully submitted,



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